

I write to urge you to reject the Notice of Proposed Rulemaking #02-230, which would limit the functionality of digital television sets. As currently constructed, this •broadcast flag• proposal would hamper innovation in digital televisions and other electronic equipment capable of receiving digital broadcasts.

The broadcast flag proposal before the commission was the product of the •Broadcast Protection Discussion Group,• an select group of industry insiders who brokered the deal. It would be unfortunate if the FCC were to codify this pact at the expense of consumer flexibility and choice.

While piracy is a valid concern, it is not the only issue that should be considered. Entertainment industry protections must be weighed against consumers• freedom to purchase and employ technology to enhance and utilize content. If enacted, the broadcast flag proposal would ignore these concerns and turn technological development over to an all-powerful subset of the entertainment industry.

In recent years, the entertainment industry has become acutely aware of the challenges it faces in the digital era. But these challenges do not give it the right to restrict consumers• abilities to record their favorite programs, or purchase electronic devices that allow them to record and save memorable family moments. The market is best suited to address and weigh these competng concerns and the FCC should give it time to work - particularly in a nascent industry like digital television -- before handing over consumer autonomy to the whims of entertainment industry executives.